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SEP 26 2005

PTO/SB/64 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT  
ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)**Docket Number (Optional)  
SF0695C

First named inventor: VALLADEAU, Jenny

Application No.: 10/829107

Art Unit: 1645

Filed: 04/21/2004

Examiner: Swartz, Rodney P

Title: ISOLATED MAMMALIAN MEMBRANE PROTEIN GENES; RELATED REAGENTS

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OIPE/IAPAttention: Office of Petitions  
Mail Stop Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450  
FAX (703) 872-9306

09/28/2005 AKELECH1 00000003 190365 10829107

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SEP 28 2005

NOTE: If information or assistance is needed in completing this form, please contact Petitions  
Information at (703) 305-9282.The above-identified application became abandoned for failure to file a timely and proper reply to a notice or  
action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration  
date of the period set for reply in the office notice or action plus an extensions of time actually obtained.**APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION**

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee - required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

## 1. Petition fee

Small entity-fee \$ \_\_\_\_\_ (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.

Other than small entity - fee \$ 1500.00 (37 CFR 1.17(m))

## 2. Reply and/or fee

A. The reply and/or fee to the above-noted Office action in the form of \_\_\_\_\_ (identify type of reply):

has been filed previously on \_\_\_\_\_.  
 is enclosed herewith.

B. The issue fee and publication fee (if applicable) of \$ 1730.00  
 has been paid previously on \_\_\_\_\_.  
 is enclosed herewith.

[Page 1 of 2]

This collection of information is required by 37 CFR 1.137(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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## 3. Terminal disclaimer with disclaimer fee

Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.

A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ \_\_\_\_\_ for a small entity or \$ \_\_\_\_\_ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

## 4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D)).]

**WARNING: Information on this form may become public. Credit card Information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

Melodie W. Henderson

Signature

September 26, 2005

Date

Melodie W. Henderson

37,848

Typed or printed name

Registration Number, if applicable

CUSTOMER No. 24265

908-298-7482

Address

Telephone Number

Address

Enclosures:  Fee Payment

Reply

Terminal Disclaimer Form

Additional sheets containing statements establishing unintentional delay

Other: Issue Fee-DUPLICATE; Cert. of Fax Transmit(9/20/05)-1 pg; Fax Cover (9/20/05)-1 pg.

**CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]**

I hereby certify that this correspondence is being:

Deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.

Transmitted by facsimile on the date shown below to the United States Patent and Trademark Office as (703) 872-9306.

September 26, 2005

Date

Melodie W. Henderson

Signature

Melodie W. Henderson

Typed or printed name of person signing certificate

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SEP 26 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/829,107 Confirmation No. 6480  
Applicant : Jenny Valladeau *et al.*  
Filed : April 21, 2004  
TC/A.U. : 1645  
Examiner : Swartz, Rodney P  
Docket No. : SF0695C  
Customer No. : 24265

September 26, 2005

Attention: Office of Petitions  
Mail Stop: PETITION  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450  
Fax: 571-273-8300

STATEMENT PURSUANT TO 37 C.F.R. 1.137(b)

Enclosed herewith are a Petition for Revival of an Application for Patent

Abandoned Unintentionally Under 37 CFR 1.137(b), a Fee Transmittal authorizing the required fee of \$1,500.00 under 37 CFR 1.17(m), and the following documents which should have been faxed on September 20, 2005: Fax Cover Page, Certificate of Fax Transmission and Issue Fee Transmittal.

The delay in filing the Issue Fee was unintentional. The Issue Fee Transmittal, Certificate of Fax Transmission and Fax cover sheet were signed and dated by the undersigned attorney with the intention of paying the Issue Fee by facsimile on September 20, 2005. On that day, the undersigned attorney's administrative assistant informed the assignee's docket administrator that the Issue Fee was to be filed by fax that day and placed the file with the above-referenced signed and dated documents on the administrator's desk for review. Inadvertently, the documents were

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Appl. No. 10/829,107  
Statement dated September 26, 2005

Patent Case: SF00695C

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not reviewed and not faxed, an oversight that the docket administrator and the undersigned attorney just discovered on September 26, 2005.

**CONCLUSION**

It is respectfully requested that the Issue Fee payment now be accepted, along with the Petition for Revival.

If Applicants' undersigned attorney can facilitate further examination of this Petition, the Examiner is encouraged to contact the undersigned attorney at the telephone number shown below.

Respectfully submitted,

SCHERING-PLOUGH CORPORATION  
Patent Department, K-6-1, 1990  
2000 Galloping Hill Road  
Kenilworth, New Jersey 07033-0530

*Melodie W. Henderson*  
Melodie W. Henderson  
Reg. No. 37,848  
Attorney for Applicant  
(908) 298-7482

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